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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/705,199	11/12/2003	David J.P. Baar	NORE0062	2923
75671 7590 08/18/2009 Sadler, Breen, Morasch & Colby, ps 422 W. Riverside Ave, Suite 424 Spokane, WA 99201				
EXAMINER DEBNATH, SUMAN				
ART UNIT 2435		PAPER NUMBER		
MAIL DATE 08/18/2009		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/705,199

Applicant(s)

BAAR, DAVID J.P.

Examiner

SUMAN DEBNATH

Art Unit

2435

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 12 August 2009 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: None.
Claim(s) objected to: None.
Claim(s) rejected: 1-8 and 10-35.
Claim(s) withdrawn from consideration: None.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☒ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). 6/9/09 and 8/10/09
13. ☐ Other: _____.

/Kimyen Vu/
Supervisory Patent Examiner, Art Unit 2435

Continuation of 11, does NOT place the application in condition for allowance because: Applicant's arguments filed August 10, 2009 have been fully considered but they are not persuasive.

Applicant argues that: "Mullet does not designate a "predetermined region" of an image. Thus, Mullet cannot teach or suggest distorting a predetermined region to present secure information as recited in claim 1."
Examiner disagrees and maintains that Mullet designate a "predetermined region" of an image (Mullet teaches browsing tool's viewing lens which could be placed in a particular area or region to magnify (i.e. distorting) the image. It should be noted that Mullet only magnifies a particular are of the image instead of magnifying the whole image. Thus, Mullet teaches the concept of distorting a predetermined region of an image. Mullet doesn't teach the security aspect of the invention. However, such a security aspect to make sure only legitimate users can have the access can be implemented using Pebley's disclosure. Pebley discloses determining whether access is authorized to a secured information (col. 5, lines 22-32, col. 2, lines 50-62); and, provide with said secured information when determining indicates that access is authorized (col. 5, lines 22-32, col. 2, lines 50-62).

Applicant argues that: "[t]he office also filed to indicate where the Mullet/Pebley combination teaches or suggests "secured information in a predetermined region of an image."

Examiner maintains that Mullet discloses distorting a predetermined region to present an information with context from an image (FIG. 3a, col. 5, lines 63-67, "magnifying"; col. 5, lines 58-67, Mullet teaches of distorting a predetermined region by choosing an area to view in detail within the image map, i.e. FIG. 3a, item 13). Pebley discloses determining whether access is authorized to a secured information (col. 5, lines 22-32, col. 2, lines 50-62); and, provide with said secured information when determining indicates that access is authorized (col. 5, lines 22-32, col. 2, lines 50-62). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Mullet as taught by Pebley in order to permit only the legitimate client to access any secure information.

Applicant argues with regards to claim 7, that: "Mullet, col. 4, lines 41-43 (cited by the Office) does not teach or suggest "wherein said determining is performed in response to receipt of a signal that selects said predetermined region."

Examiner maintains that Mullet teaches "wherein said determining is performed in response to receipt of a signal that selects said predetermined region" in the cited Mullet, col. 4, lines 41-43. Wherein Browsing tool is placed in a predetermined area, once it's placed, the predetermined area that occupied by the tool (i.e. by the lens) is magnified which happens due to sending signal after selectively positioning the browsing tool.

Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may be applied as well. It is respectfully requested from the Applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention as well as the context of the passage as taught by the prior art or disclosed by the Examiner. .